

**Naples Planning and Land Use  
Public Meeting  
August 21, 2018**

**Commission Present:** Chris Clark, Scott Adams, Mark Partridge, and Andrew Bentley

**Commission Absent:** Jessy McKee

**Others Present:** Mayor Baker, Ken Reynolds, Heidi Lundberg, Jim Harper, Joshua Bake, Shane Nelson, and Cooper Nelson

**Verification of full Quorum** Chairman Clark verified a full quorum.  
All commission members will be voting in tonight's meeting.

**Approval of Agenda** Scott Adams motions to approve the agenda for the August 21, 2018 meeting, Mark Partridge seconds the motion.

All in favor:

<b>Chris Clark</b>	<b>Aye</b>
<b>Scott Adams</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion carried with all voting Aye. None opposed.

**Disclosures** None

**Approval of Minutes** Scott Adams motions to approve the July 17, 2018 minutes. Mark Partridge seconds the motion.

All in favor:

<b>Chris Clark</b>	<b>Aye</b>
<b>Scott Adams</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion carried with all voting Aye. None opposed.

**PUBLIC HEARINGS**

02-03-006 Administration & Procedures – City Council Approval

Mrs. Lundberg explained this change is a clerical change to clean up our ordinance. We are matching it to our subdivision chapter.

**MOTION** Scott Adams motions to open the public hearing on the 02-03-006 Administration & Procedures – City Council Approval. Mark Partridge seconds the motion.

All in favor:

<b>Chris Clark</b>	<b>Aye</b>
<b>Scott Adams</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion carried with all voting Aye. None opposed.

NO PUBLIC INPUT

**MOTION** Mark Partridge motions to close the public hearing on the 02-03-006 Administration & Procedures – City Council Approval. Scott Adams seconds the motion.

All in favor:

<b>Chris Clark</b>	<b>Aye</b>
<b>Scott Adams</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion carried with all voting Aye. None opposed.

### **MOTION**

Mark Partridge motions to accept the changes to the 02-03-006 Administration & Procedures – City Council Approval and send to City Council. Andrew Bentley seconds the motion.

All in favor:

<b>Chris Clark</b>	<b>Aye</b>
<b>Scott Adams</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion carried with all voting Aye. None opposed.

### **PLANNING/DISCUSSION**

#### Land Use Ordinance Changes

##### Setbacks on corner lots

Mr. Bake explained the proposed change is for all applicable residential zones. We are recommending keeping the accessory buildings like corner lots, with 20 feet on the street side. Commissioner Bentley asked if this affects corner lots with fences, if there is a fence, why couldn't they build it 5 feet from the fence? Mr. Bake stated this is not just for line of sight, it is more for aesthetics appeal; this is a policy decision. Chairman Clark asked if these are setbacks from property lines. What happens if the property lines are in the middle of the road. Mr. Bake stated he will look into that. Commissioner Adams asked if they had a fence along the property line, does the setback change for where the accessory building can go. Mr. Bake stated no. Commissioner Bentley asked if someone had a corner lot on all three sides. Mr. Bake said the back would be the rear setbacks, depending on where the front door is. Commissioner Partridge asked if we are penalizing corner lot owners by doing this. Chairman Clark stated the main dwelling currently has a side setback of 20 feet for the same purpose. Commissioner Bentley asked what the reasoning is for the main building 20 feet side on the corner lots. Mr. Bake stated it is the aesthetics of how we want the City to look. Commissioner Bentley stated his concern, where it's someone's backyard and they could put a fence up, we shouldn't have a say where they put the accessory buildings. Mr. Bake explained this came from the public's concern on this issue. Commissioner Bentley said he would like a public hearing on this and get the public's input.

##### Subdivision Chapter Changes

Mrs. Lundberg explained we are wanting to clean up the subdivision chapter. There are recommendations from the city attorney. The state code, 10-9a-103-21 states the improvement warranty period is no longer than one year after acceptance unless the City Council determines for good cause that a one-year period would be inadequate to protect the public health, safety and welfare, or if prior record of the contractor not doing sufficient work. The city attorney didn't feel we had good cause to require a two year as a broad requirement, so staff has proposed adding in the state code under section 11, warranty assurance duration; and referenced to that section throughout the chapter. Mr. Bake stated we are trying to keep it in line with the state, so we are not contradicting the state statutes. Mrs. Lundberg explained the other changes presented. Under plats, we are correcting the required signatures to match the signature block section at the end of the chapter. Under the approval time frame to record the final plat it shows 6 months, but our chapter 02-03 Administration and

Procedures allows one year to record the final plat; we are correcting that to one year to match. Under the time of acceptance, staff added the reference to the state code and added the City Council will accept the public improvements in a City Council meeting; so it is clear when it will be approved. Since the City does not always hire an engineer, staff is proposing to add the Naples City Land Use Administrator as someone who can approve in place of an engineer. Staff is proposing the approval of improvements be in a City Council public meeting and is changed/added throughout the chapter. Changing 24 months of warranty time to 12 months. Chairman Clark suggested finding options besides having the storm water retention on a private owner's property; having one property owner responsible for the storm water retention could potentially be a financial burden down the road for them. Mayor Baker commented that they should have an HOA to deal with the storm water. Chairman Clark suggested removing the option for the storm water to be on one person's property.

Commissioner Partridge referenced back to the setback agenda item. He asked if the developer mentioned anything regarding the setbacks for accessory buildings on corner lots. Mr. Bake replied the developer does not like the way our ordinance is worded on this issue.

#### **NAPA Site Plan Update**

Mr. Bake explained the NAPA project is underway. They have made a few changes to their site plan. They have squared up the lot with the abutting property owners. The building, parking, and entrances are the same. The storm water retention has changed to an underground sump, it does meet all requirements. They have run into issues with tearing down the existing house but are getting close to the state's approval. Commissioner Adams asked if there will be drains. Mr. Bake stated they haven't changed from the previous site plan. Chairman Clark asked what they came up with for the front of the building. Mrs. Lundberg mentioned NAPA went to City Council and asked for a metal roof instead of asphalt shingles. Mr. Bake stated our ordinance discourages asphalt shingles. Mrs. Lundberg explained they will have the rock frontage, wood columns, and stucco; which matches our ordinance.

#### **TRAINING VIDEO**

#### **ITEMS FOR FUTURE DISCUSSION**

Land Use Ordinance Changes

Non-Conforming Use/Structures Certificates

Mr. Bake explained the county has a registrar of non-conforming use buildings. If we have a building or a sign that is non-conforming, then they would get a certificate. We can document so that it would be approved and have a record that it is non-conforming and is ok as of that date. Staff will be doing some more research.

#### **ADJOURN**

Scott Adams motions to adjourn, Mark Partridge seconds the motion.

All in favor:

<b>Chris Clark</b>	<b>Aye</b>
<b>Scott Adams</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion carried with all voting Aye. None opposed.

**The next Planning and Zoning meeting will tentatively be held September 18, 2018 in the Naples City Council Chambers @ 7:30 P.M.**